

Application Serial No. 10/540,733
Transmittal Letter

PATENT
Attorney Docket No.: LUC-014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Poopathy Kathirgamanathan et al.
Serial No.: 10/540,733
Filing Date: July 27, 2005
Title: ELECTROLUMINESCENT MATERIALS AND DEVICES

Examiner: Marie R. Yamnitzky
Group Art Unit: 1794

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 9, 2009
Date


Leslie R. Silverstein

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

The submission of the attached Application Data Sheet is in partial response to the Patent Office Action dated October 5, 2009.

Paragraph 6 of the Office Action of October 5, 2009 objected to the inventor Declaration filed on July 27, 2005 because one of the two United Kingdom priority applications referenced in that Declaration was identified as Application No. 0230074.4, whereas the corresponding priority document from the International Bureau identified the application as Application No. 0230074.7. On this basis, the Examiner stated that the Declaration was "defective," and she required a new Declaration correctly identifying the UK priority application.

Applicants agree that the Declaration filed July 27, 2005 identifies the subject UK priority application by an application number that differs in the last digit (after the decimal point) from the number used by the International Bureau. It should be noted, however, that the digit following the decimal point is a number assigned to the priority application by the International Bureau solely for internal purposes, and that this last digit serves no function in actually identifying the priority application. Accordingly, the sequence of numbers that actually serves to identify the UK priority application appears correctly on the Declaration filed July 27, 2005.

In exploring an alternative approach to addressing the Examiner's objection other than filing a new Declaration, Applicants' attorney discussed this matter on November 4, 2009 with the individual then staffing the USPTO PCT Help Desk. That individual, in turn, sought guidance from her supervisor. Applicants' attorney was subsequently advised that the minor typographical error on the Declaration could be satisfactorily addressed by filing an Application Data Sheet that correctly listed the subject UK priority application, and that filing a new, corrected inventor Declaration would not be necessary.

On November 6, 2009, Applicants' attorney further discussed this matter with Examiner Yamnitzky, including conveying the information received earlier in the week from the PCT Help Desk. Although Examiner Yamnitzky said that she could not definitely confirm the information Applicants' attorney had received from the PCT Help Desk without consulting her own supervisor, she acknowledged that the information "sounded right." She indicated that there were still some open questions about the kinds of application informalities that could be corrected through the Application Data Sheet procedure. The

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Examiner suggested that we should proceed with filing the Application Data Sheet, and that she would review the matter with her supervisor upon receiving the document.

Accordingly, Applicants are herewith submitting an Application Data Sheet correctly identifying the subject UK priority application in accordance with the PCT Help Deck guidance in an effort to address the Examiner's objection to the Declaration filed July 27, 2005.

Applicants respectfully request that the Examiner advise their attorney, David Silverstein, by telephone or written communication if any additional response to paragraph 6 of the October 5, 2009 Office Action will be needed when a complete Amendment and Response is filed.

Respectfully submitted,

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